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DAN RASURE
WIND PUMP POWER, LLC
SUNFLOWER WIND, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * * * *

NEVADA CONTROLS, LLC, a Nevada
Limited Liability Company,

Plaintiff,

v.

WIND PUMP POWER, LLC, a Kansas
Limited Liability Company, SUNFLOWER
WIND, LLC, a Kansas Limited Liability
Company; DAN RASURE, an individual,

Defendants.

WIND PUMP POWER, LLC, a Kansas
Limited Liability Company,

Counterclaimant,

v.

NEVADA CONTROLS, LLC, a Nevada
Limited Liability Company,

Counterdefendant.

) Case No. 3-12-cv-00068-HDM-VPC

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COME NOW, the Defendants, SUNFLOWER WIND, LLC (“Sunflower Wind”) and DAN RASURE (“Mr. Rasure”), and the Defendant/Counterclaimant, WIND PUMP POWER, LLC (“Wind Pump Power”) (hereinafter referred to collectively as “Defendants”), by and through their attorney of record, MARK A. GOODMAN, ESQ., of GOODMAN LAW CENTER, P.C., and herewith file their Opposition to “Plaintiff Nevada Controls’ Motion to Compel” (Docket No. 57), filed April 18, 2013, by the Plaintiff, NEVADA CONTROLS, LLC (“Nevada Controls”).

Defendants hereby incorporate by this reference, as if set forth *in haec verba*, the “Motion for Extension of Time for Sunflower Wind to File Opposition to Motion to Nevada Controls’ Motion to Compel,” filed simultaneously herewith; and the “Motion to Withdraw as Counsel for Defendant Sunflower Wind, LLC,” filed simultaneously herewith by Mark A. Goodman, Esq.

POINTS AND AUTHORITIES

I

SUNFLOWER WIND SHOULD BE GRANTED AN EXTENSION OF TIME WITHIN WHICH TO RETAIN COUNSEL AND TO RESPOND TO NEVADA CONTROLS’ MOTION TO COMPEL.

As more fully appears from the “Motion for Extension of Time for Sunflower Wind to File Opposition to Motion to Nevada Controls’ Motion to Compel,” filed simultaneously herewith, Sunflower Wind should be granted an extension of time within which to retain counsel and to respond to Nevada Controls’ Motion to Compel.

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II

MR. RASURE AND WIND PUMP POWER NOW HAVE PRODUCED ALL OF THE DOCUMENTS WITHIN THEIR RESPECTIVE POSSESSION, CUSTODY, AND CONTROL.

On Friday, May 3, 2013, Defendants produced 118 additional documents to Nevada Controls in response to Nevada Controls' requests for production of documents. This latest production of documents from Mr. Rasure and Defendant, WIND PUMP POWER, LLC (hereinafter referred to as "Wind Pump Power") constitutes all of the remaining documents in the respective possession, custody, and control of Mr. Rasure and Wind Pump Power. There simply are no further documents for Mr. Rasure and Wind Pump Power to Produce to Nevada Controls.

Therefore, the Court respectfully should decline Nevada Controls' invitation to compel Mr. Rasure and Wind Pump Power to produce documents that simply are not in the respective possession, custody, and control of Mr. Rasure and Wind Pump Power.

III

MR. RASURE AND WIND PUMP POWER NOW HAVE ANSWERED ALL OF NEVADA CONTROLS' INTERROGATORIES TO THE BEST OF THEIR RESPECTIVE ABILITIES.

Mr. Rasure and Wind Pump Power now have answered all of Nevada Controls' interrogatories to the best of their respective abilities.

Therefore, the Court respectfully should decline Nevada Controls' invitation to compel Mr. Rasure and Wind Pump Power to provide any more non-existent interrogatory responses to Nevada Controls.

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CONCLUSION

For all of the above-stated reasons, Sunflower Wind should be granted an extension of time within which to retain counsel and to respond to Nevada Controls' Motion to Compel.

In addition, Mr. Rasure and Wind Pump Power now have produced all of the documents within their respective possession, custody, and control, and have answered all of Nevada Controls' Interrogatories to the best of their respective abilities.

Therefore, the Court respectfully should deny "Plaintiff Nevada Controls' Motion to Compel."

DATED: Friday, May 03, 2013.

GOODMAN LAW CENTER

/s/ Mark A. Goodman

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DAN RASURE

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an agent of GOODMAN LAW CENTER, P.C., and that I caused a true and correct copy of **DEFENDANTS' OPPOSITION TO PLAINTIFF NEVADA CONTROLS' MOTION TO COMPEL** to be served by:

☐ (BY MAIL) on all parties in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At the Law Offices of Goodman Law Center, P.C., mail placed in that designated area is given the correct amount of postage and is deposited that same date in the ordinary course of business, in a United States mailbox in the City of Reno, County of Washoe, Nevada.

☐ (BY PERSONAL DELIVERY) by causing a true copy thereof to be hand delivered this date to the addressee(s) at the address(es) set forth below.

☐ (BY FACSIMILE) on the parties in said action by causing a true copy thereof to be telecopied to the number indicated after the address(es) noted below.

☐ Federal Express or other overnight delivery

☐ Reno/Carson Messenger Service

addressed, as follows:

Leigh Goddard, Esq.	via Court's ECF system
Jessica Woelfel, Esq.	
McDonald Carano Wilson LLP	
100 West Liberty Street, 10th Floor	
Post Office Box 2670	
Reno, Nevada 89505-2670	

DATED: Friday, May 03, 2013.

/s/ Paula Rodriguez

PAULA RODRIGUEZ, CLA
Legal Assistant to Mr. Goodman